



PATENT  
Attorney Docket No.: A-68872-1/RFT/RMS/BTC

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: ) Examiner: Unknown  
REDDY, et al. )  
Serial No. 09/771,355 )  
Filed: January 26, 2001 )  
For: USE OF RAD51 INHIBITORS FOR )  
p53 GENE THERAPY )  
)

CERTIFICATE OF MAILING

I hereby certify that this correspondence, including listed enclosures, is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, DC 20231 on:

Dated: May 24, 2001  
Signed: Tina M. Ingrande  
Tina M. Ingrande

TRANSMITTAL OF MISSING PARTS OF APPLICATION

Assistant Commissioner for Patents  
BOX MISSING PART  
Washington, D. C. 20231

Sir:

In response to the Notification of Missing Requirements dated April 13, 2001, enclosed herewith is a copy of the executed Declaration, a copy of the Notification and Power of Attorney by Assignee. **Applicant claims small entity status (see 37 CFR 1.27).**

In response to the Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures dated April 13, 2001, enclosed are the following documents:

1. Copy of Notice to Comply;

Serial No.: 09771,355  
Filed: January 26, 2001

2. Paper copy of SEQUENCE LISTING;
3. Preliminary Amendment; and
4. Computer readable copy of Sequence Listing.

Enclosed is our check in the amount of \$672.00 (\$355.00 Filing Fees, \$252.00 Extra Claims Fees and \$65.00 for the surcharge for late filing of the Declaration). Please debit any underpayment or credit any overpayment to our Deposit Account No. 06-1300 (Order No. A-68872-1/RFT/RMS/BTC). Please direct any calls in connection with this application to the undersigned at (415) 781-1989.

Respectfully submitted,

FLEHR HOHBACH TEST  
ALBRITTON & HERBERT LLP

Dated:

May 24, 2001

  
\_\_\_\_\_  
Brian T. Clarke (Reg. No. 45,552) for  
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Suite 3400  
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**WASHINGTON, D.C. 20231**  
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/771,355	01/26/2001	Gurucharan Reddy	A-68872-1/RFT/RMS/BTC

**CONFIRMATION NO. 6076**

## **FORMALITIES LETTER**



\*OC000000005964908\*

FLEHR HOHBACH TEST  
ALBRITTON & HERBERT LLP  
Four Embarcadero Center, Suite 3400  
San Francisco, CA 94111-4187

Date Mailed: 04/13/2001

**NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION**

FILED UNDER 37 CFR 1.53(b)

**Filing Date Granted**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 710 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).*
- Total additional claim fee(s) for this application is \$504.
  - **\$234** for 13 total claims over 20.
  - **\$270** for multiple dependent claim surcharge.
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 1344.**

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- This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to

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be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

**For questions regarding compliance to these requirements, please contact:**

- **For Rules Interpretation, call (703) 308-4216**
- **To Purchase PatentIn Software, call (703) 306-2600**
- **For PatentIn Software Program Help, call (703) 306-4119 or e-mail at  
[patin21help@uspto.gov](mailto:patin21help@uspto.gov) or [patin3help@uspto.gov](mailto:patin3help@uspto.gov)**

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*DB*  
*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE .